ARMY's Sexual Assault Prevention and Response Program

U.S. ARMY

Unit Refresher Training
(Pre- and Post-Deployment)

Terminal Learning Objective

Action	Maintain the Army's Sexual Assault Prevention and Response Program
Conditions	In a classroom environment with facilitated group discussions or scenarios
Standards	Complete the lesson on the Army's Sexual Assault Prevention and Response Program and achieve a passing score of 80% on a separately administered test. A. Define the Army's Sexual Assault Policy B. Define types of sexual assault and its effect on the victim, alleged perpetrator, and unit C. Evaluate trends and techniques used to prevent sexual assaults D. Apply individual and leader responsibilities for communicating the Army's Sexual Assault Prevention and Response Program E. Identify reporting options available to sexual assault victims F. Identify rights of the victim and alleged perpetrator and resources available to victims

Program Purpose

Eliminate incidents of sexual assault through a comprehensive program that centers on:

- Awareness and prevention
- Training and education
- Reporting
- Response
- Victim advocacy
- Accountability

Army Policy on Sexual Assault

Sexual assault is a criminal offense that has no place in the Army. It degrades mission readiness by devastating the Army's ability to work effectively as a team.....It is incompatible with the Army Values and is punishable under the Uniform Code of Military Justice (UCMJ) and other federal and local civilian laws... The Army will treat all victims of sexual assault with dignity, fairness, and respect.

AR 600-20, Paragraph 8-2

Legal Sanctions

Sexual Assault is punishable under UCMJ:

Sexual assault includes such offenses as rape, forcible sodomy, and indecent assault. Depending upon the offense and the circumstances of the offense, the maximum punishments include death, confinement for life without eligibility for parole, confinement for life with eligibility for parole, confinement for a period of years (for example 5 years), total loss of all pay and allowances, dishonorable discharge (enlisted Soldiers only), bad conduct discharge (enlisted Soldiers only), dismissal from the service (commissioned officers only), and reduction to E-1 (enlisted Soldiers only.)

Review: Sexual Assault Policy

In this topic you learned:

- Sexual assault is a criminal offense that has no place in the Army
- Training, education, and awareness will be used to minimize incidents of sexual assault
- Victims will be offered assistance and counseling; offenders will be held accountable
- All victims of sexual assault will be treated with dignity, fairness and respect
- Leaders will create and promote a positive command climate

Sexual Assault Defined

- **Sexual assault** - intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot **consent**. Sexual assault can occur without regard to gender, spousal relationship, or age of the victim.

- **Consent** - shall not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a perpetrator uses force, threat of force, coercion, or when the victim is asleep, incapacitated, or unconscious.

Types of Sexual Assault

- Rape
  - Physical force
  - Constructive force
  - Date/acquaintance (non-stranger)
  - Marital rape*
- Nonconsensual sodomy
- Indecent assault
- Attempts to commit these acts
- Carnal knowledge*

*Family Advocacy Program

Victim Responses to Being Assaulted

Common victim responses:

- Recall the event
- Clean themselves, repeatedly
- Destroy evidence

Bottom Line:

Report to the emergency room in the same clothes and condition in which assaulted!

Victim's Emotional Effects

Individual reactions vary widely:

- Anxiety
- Powerlessness
- Perseverance
- Disorganization
- Self-blame
- Distorted self-image
- Depression
- Withdrawal

Review: Sexual Assault Defined

In this topic you learned:

- **Sexual assault** is intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot **consent**.
- **Consent** is not given when force, threat of force, or coercion is used; or when a victim is asleep, incapacitated, or unconscious
- Types of sexual assault
  - Rape
  - Nonconsensual sodomy
  - Indecent assault
  - Attempts to commit these acts
  - Carnal knowledge
- Sexual assault victims experience trauma both physically and emotionally

Sexual Assault Trends

Current sexual assault trend data shows that:

- The majority of military victims are 20-24 year-old females in ranks PVT-SPC
- Most military alleged perpetrators are 20-24 year-old males in ranks PVT-SPC
- Most military assaults occur in Soldier living areas, such as barracks
- More than half of sexual assault cases involve alcohol use

Source: Task Force Report on Sexual Assault Policies, dated 27 May 2004

Sexual Assault Prevention

- Avoid alcohol and other drugs
- Rely on your instincts and be watchful
- Establish and maintain your limits
- Remember A.S.A.P.
  - Aware
  - Safe
  - Assertive
  - Prepared

Review: Trends and Prevention

In this topic you learned:

- Sexual Assault Trends
  - More than half of sexual assault offenses involved alcohol
  - The largest percentage of sexual assault offenses occurred in Soldier living areas
- Prevention Techniques
  - Rely on your instincts and be watchful
  - Remember A.S.A.P.

Soldier's Responsibilities to Victim

- Listen to the victim and take the allegations seriously
- Make no judgments about the victim or the alleged perpetrator
- Encourage the victim to report the crime
- Support the victim and show respect

Leader Responsibilities

- Be proactive
- Report misconduct to alleged perpetrator's commander
- Unit commander notifies law enforcement to initiate an investigation
- Unit commander notifies CID regarding rape/serious offenses for investigation
- Be aware of sexual assault risk factors

Leader Attitudes/Behaviors

- Convey the message that sexual assault can be prevented
- Treat sexual assault victims with sensitivity
- Create a supportive environment
- Alleviate fear of reprisal
- Delay action against victims for alleged collateral misconduct

Review: Soldier/Leader Responsibilities

In this topic you learned:

- Soldiers must support the victim and show respect
- Leaders' proactive involvement at all levels is the key to addressing sexual assault in the Army.
- Leaders should:
  - Act immediately
  - Provide a supportive environment
  - Contact criminal investigators
  - Be aware of sexual assault risk factors

Restricted Reporting

- Allows a Soldier to disclose the details of his/her assault to specifically identified individuals and receive medical treatment and counseling, without triggering the official investigative process

- Report confidentially to:
  - Victim Advocate (VA)
  - Sexual Assault Response Coordinator (SARC)
  - Healthcare Provider
  - Chaplain

- Reporting sexual assault to any agency or individual not listed above may result in an unrestricted report

Unrestricted Reporting

To make an unrestricted report a victim may notify one

of the following agencies:

- VA/SARC
- Healthcare Provider
- Chaplain
- Chain of Command
- Military Police (MP)
- Criminal Investigation Command (CID)
- Army Community Services (ACS)
- Staff Judge Advocate (SJA)
- Local and State Police
- 911
- Army One Source (AOS)

Information to Report

Contact authorities with the following information:

- Date, time and location of incident
- Name of individual making report and relationship to incident or victim
- Victim's name and location
- Victim's injuries and medical needs
- Who, if anyone, is there to assist the victim
- Identity, description, and location of alleged perpetrator

Victim's Reluctance to Report

- Embarrassment or shame
- Fear of reprisal by perpetrator or command
- Depression and feelings of helplessness
- Low self-esteem
- Anger and/or guilt
- Belief that nothing will be done
- Fear of being punished for "collateral" misconduct (e.g. underage drinking, etc.)

Victim Actions

- Go to a safe place
- Immediately report the assault using available resources
- Do not destroy evidence by “cleaning up”
- Report to a hospital or clinic and they will notify proper agency

Review: Reporting Options

In this topic you learned:

- Restricted reporting is available if reported to VA, SARC, Healthcare Provider, or Chaplain
- Unrestricted reporting triggers the investigative process
- Victims may be reluctant to report the crime for a variety of reasons

Rights of the Victim

Opt for Restricted or Unrestricted Reporting (Soldiers only)
Be treated with fairness and respect
Be protected
Seek/obtain Information about the the case
Victims have the right to
Be notified of court proceedings
Confer with attorney for the government in the case
Be present at all court proceedings

Available Resources: Restricted or Unrestricted Reporting

- Sexual Assault Response Coordinator (SARC)
- Victim Advocate (VA)
- Medical Facility – Military or Civilian
- Unit Chaplain

Available Resources - Unrestricted Reporting

- Four restricted reporting resources (VA, SARC, Healthcare Provider, Chaplain)
- Chain of Command
- Military Police
- Army Community Services (ACS)
- Criminal Investigation Command (CID)
- Local and State Police
- Staff Judge Advocate (SJA)
- 911
- Army One Source (AOS)

Review: Rights and Resources

The resources available to sexual assault victims include:

- SARC*
- VA*
- Medical facilities*
- Unit Chaplain*
- Chain of Command
- Military Police
- Criminal Investigation Command (CID)
- Army Community Services (ACS)
- Staff Judge Advocate (SJA)
- Local or State Police
- 911
- Army One Source (AOS)

* Restricted reporting options

Bottom Line

Sexual Assault will be defeated only by **Command** involvement and **Strong Leaders**!

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